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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/607,664

06/27/2003

Bret A. Ferree

SP112.1

8047

25742 7590 12/19/2006
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EXAMINER

DAVIS, RUTH A

ART UNIT

PAPER NUMBER

1651

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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30 DAYS

12/19/2006

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.



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6/27/2003

FERREE

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20061213

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Commissioner for Patents

The timely submission under 37 CFR 1.129(a) filed on August 3, 2005 is not fully responsive to the prior Office action because applicant has not elected a single group as presented in the election restriction requirement. Specifically, applicant as stated that they elect an implant of Figure 1, which is not specifically claimed, which is made by the method of claim 13. It is pointed out that group I (claims 1 – 12) is drawn to an implant, however it is unclear if this is the group applicant has elected since specific mention is made of claim 13. Furthermore, the method of claim 13 is not a method for making an implant, but is a method for implanting a prosthetic device. Thus, applicant has not clearly elected a group/invention to prosecute on the merits. Since the submission appears to be a *bona fide* attempt to provide a complete reply to the prior Office action, applicant is given a shortened statutory period of ONE MONTH or THIRTY DAYS from the mailing date of this letter, whichever is longer, to submit a complete reply. This shortened statutory period supersedes the time period set in the prior Office action. This time period may be extended pursuant to 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ruth Davis, whose telephone number is 571-272-0915.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Wityshyn, can be reached on 571-272-0926. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0196.

Ruth A Davis
Primary Examiner
AU 1651